

State of California
State and Consumer Services Agency
California Building Standards Commission
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Attn: Thomas L. Morrison, Deputy Executive Director

Office Use Item No. _____

**PARTICIPATION COMMENTS FOR THE NOTICE DATED MARCH 18, 2008
TITLE 24, CCR, PART 11, CALIFORNIA GREEN BUILDING STANDARDS CODE**

WRITTEN COMMENT DEADLINE: MAY 12, 2008

Date: 5/9/08

From:

Name Paul Poirier, AIA

Organizations: USGBC Chapters in the Pacific Region:

Address 156 W. Alamar Ave., Ste. C, Santa Barbara, CA 93105

City, State, ZIP

On Behalf Of: The following U.S. Green Building Council Chapters in the Pacific Region (Orange County, Inland Empire, Los Angeles, California Central Coast, Central California, Northern California, Redwood Empire, Cascadia, Hawaii)

RE: CGBSC BSC Chapter 7

Item 1:

We **do not** agree with the Agency proposed scope defined in section 701.1, and request that this be recommended **Approved as Amended** by the proposing state agency.

Suggested Revisions to the Text of the Regulations:

[add] "and use of materials that reduce the off-site impacts of harvesting, manufacturing, and transport of materials, such as habitat destruction, off-site air and water pollution, and deforestation."

Reason:

Health & Safety Code Section 18930 (a) (3): **Not** in the public interest, as written.

The harvesting, manufacturing, and transport of building materials produce negative environmental affects that are must be accounted for when assessing the "greenness" of a given material. This important environmental consideration should be added to the scope of this section.

Item 2:

We **do not** agree with the Agency proposed modifications As Submitted on Section No. **705.2 - Bio-Based materials, and 705.2.1 - Certified wood products**, and request that this section or reference provision be recommended **Approved as Amended** by the proposing state agency.

Suggested Revisions to the Text of the Regulations:

"**705.2 Bio-based materials.**" Delete Paragraph in its entirety.

"**705.2.1 Certified wood products.** Employ wood-based materials and products which are certified in accordance with Forest Stewardship Council (FSC) Principles and Criteria."

Delete the other standards organizations 2. through 5.

Reason:

Health & Safety Code Section 18930 (a) (3): **Not** in the public interest, as written.

705.2 Bio-based materials: The word "bio-based" is not defined in the Environmental Protection Agency "Terminology Reference System", the US Green Building Council "LEED" rating system, the Build It Green "GreenPoint Rated" system, or The Construction Specifications Institute "GreenFormat" sustainable product reporting form. According to Wikipedia, a bio-based material is simply an engineered material made from substances derived from living matter; there is no consensus on its meaning in the sustainable design community. Bio-based materials can be overharvested or harvested in ways that harm or destroy the areas and/or ecosystems in which they originate. Simply because a product is "bio-based" or "renewable" has no bearing on whether it is "environmentally responsible" or "sustainable." For instance, salmon are "bio-based" and "renewable," but salmon populations are threatened in California due to decades of habitat loss and overfishing.

705.2.1 Certified wood products:

The USGBC Chapters in the Pacific Region, (including Redwood Empire, Northern California, Central California, California Central Coast, Los Angeles, Orange County, Inland Empire, and San Diego, Cascadia and Hawaii) has officially endorsed Forest Stewardship Council <http://www.fscus.org> (FSC) certification as the only responsible and sustainable standard, currently in the market, for protecting forests.

We believe that as the interest in green building continues to grow, it is necessary to affirm that FSC certification provides the best protection for our forests. Other certification systems specifically championed by industry simply do not provide the same level of rigor and protection.

Using FSC lumber in building construction is the current standard for attaining points for Leadership in Environmental and Education Design (LEED) certification. The LEED green building rating system is the national benchmark for high performance green buildings.

The USGBC has been reviewing FSC and other proposed standards over the last several years. A healthy timber industry is particularly important in the Pacific Rim and its long term viability is crucial to the economy, local communities, and the building industry. The FSC standard, more than any others that have been proposed, is our best hope for protecting habitat, reducing erosion, encouraging healthy salmon runs and protecting other species, while at the same time allowing for responsible logging. We can not afford to accept any watered down standards that allow for massive clear cutting and do not provide a chain of custody. It is simply not sustainable in the long run.